

DOCKET NO.: MSFT-0739/158459.01
Application No.: 10/004,490
Office Action Dated: September 21, 2004

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

REMARKS

Upon entry of the present amendment, claims 1-2, 4, 7-21, 23-41 and 44-55 will be pending in the present application. Claims 1, 19, 35 and 40 are the independent claims. By way of the present amendments to claims 1, 19 and 40, Applicants hereby restore the scope of the subject matter sought to the scope sought upon filing. In so doing, Applicants have reintroduced the subject matter of original claims 3, 5 and 6 as new dependent claim 53, reintroduced the subject matter of original claim 22 as claim 54 and reintroduced the subject matter of original claims 42 and 43 as claim 55. By restoring the independent claims to the as-filed state, Applicants submit that no new matter has been added.

The outstanding claims are all variously rejected under 35 U.S.C § 103(a) over root reference U.S. Patent No. 6,401,084 (Ortega et al.), in various combination with US Patent No. 6,778,979 (Grefenstette et al.), U.S. Publication No. 2003/0037077 (Brill et al.), U.S. Publication No. 2002/0059204 (Harris) and U.S. Publication No. 2001/0032204 (Hoashi et al.).

The outstanding rejections are respectfully traversed.

Rejection of Independent Claims 1, 19 and 40 under 35 U.S.C. § 103(a)

Claims 1, 19 and 40 each remain rejected under 35 U.S.C § 103(a) over Ortega et al. in view of Grefenstette et al. Applicants herein have restored claims 1, 19 and 40 to their as-filed state to point out a salient distinction between the disclosure of Ortega et al. and Applicants' invention. In this regard, Ortega et al. cannot be considered to teach or suggest "analyzing the spelling of the at least one word and determining whether at least one word has a mistake," as

recited in claim 1. For an exemplary illustration of why, as an initial matter, Applicants present the following definition of the term “spelling checker” from Merriam-Webster’s On-Line Dictionary since it is relevant to the spell-checking context of the present invention:

spelling checker: a computer program that identifies possible misspellings in a text file by comparing the contents of the file with a database of accepted spellings.

The reason why Ortega et al. fails to disclose “analyzing the spelling of the at least one word and determining whether at least one word has a mistake” is the same reason why Ortega et al. fails to provide a spelling checker – namely because Ortega et al. fails to disclose comparing the contents of a query against a database of accepted spellings. Instead, Ortega et al. discloses a bibliographic database (a database with a narrow subset of key terms relevant to purchasing goods), and an algorithm that determines whether query terms “match” a term in the database or not. This cannot be considered analyzing the spelling of query terms and determining whether a word has mistake. Instead, it is a process that attempts to conform the query terms to the contents of the database, *regardless of the spelling!*

For instance, with respect to the example given at Col. 8, lines 14-56 of Ortega et al., if it were the other way around such that the user typed “Appalachian” (the correct spelling), and the bibliographic database included the term “Appalation” (wrong spelling, perhaps because the Author of some book intentionally or unintentionally spelled it that way), then the system disclosed in Ortega et al. would attempt to return results based on the term “Appalation.” In other words, in such a case, Ortega et al. would operate as an auto-mis-speller. Each instance of the term “spelling” in Ortega et al. thus actually refers to a simple “match” between a product

database and the query terms, and the system of Ortega et al. is thus helpless when it comes ensuring the correct spelling of query terms. For the same reason, there is no determination of a spelling “mistake” in Ortega et al. as recited by claim 1; instead there is mere determination of a match or mis-match, which might be a spelling mistake or not.

The fact is that Ortega et al. discloses a system that is agnostic to spelling except to the extent that the terms placed in the bibliographic database 40 happen perchance to have the correct spelling. Since products such as those offered on Amazon.com often intentionally employ misspellings, Applicants respectfully request reconsideration of the disclosure found in Col. 8 (and elsewhere) of Ortega et al. Claims 19 and 40 each include a similar limitation as claim 1 and are believed allowable for the same reason. The database of Amazon.com focuses on simple “matches” and not spelling for a reason – the product database is a narrow set of terms describing products. The World Wide Web, on the other hand, is vast and so the importance of spelling correction in the Web search context is different than in the product search context.

Grefenstette was cited for reasons relating to subject matter now found in the dependent claims, and also fails to cure the above-identified deficiency of the root reference with respect to claims 1, 19 and 40.

Claims 2, 4, 7-18, 20-21, 23-34, 41 and 44-55 depend from claims 1, 19 or 40 and are believed to be allowable for the same reasons. Applicants thus submit that claims 1-2, 4, 7-21, 23-41 and 44-55 patentably define over Ortega et al., taken alone or in combination with any other art of record. Withdrawal of the rejections to claims 1-2, 4, 7-21, 23-41 and 44-55 under 35 U.S.C. § 103(a) is thus earnestly requested.

Rejection of Independent Claim 35 under 35 U.S.C. § 102

Remaining claim 35 appears to remain rejected over the disclosure of Ortega et al. by itself as anticipatory prior art. However, Applicants submit that Ortega et al. (at Col. 10, lines 33-51) fails to teach or suggest “near the query input mechanism, displaying a link which enables the re-performance of the service with the entered query data set.” Instead, Applicants merely understand Ortega et al. to disclose that:

The search results page also preferably displays and allows the user to edit the modified query, so that user can effectively reject the search term replacement(s) and/or otherwise revise the query.

Under even the broadest interpretation possible, Applicants merely understand Ortega et al. to disclose “in the same query input mechanism, displaying the corrected query data” or “in an entirely new query input mechanism, totally unrelated to the original query input mechanism, displaying the corrected query data.” This is different from Applicants’ invention as recited in claim 35 for at least two reasons. First, Applicants claim “near the query input mechanism,” in other words, at a location separate from the query input mechanism, but nonetheless nearby. In contrast, the disclosure of Ortega et al. is silent about the position of the new query input mechanism.

Secondly, Applicants submit that the display of corrected query data in a query input mechanism (per Ortega et al.) is different than the display of a link that upon actuation re-performs the query with the uncorrected query data. In support of Applicants view of the term

“link,” Applicants present the following definition found on Whatis.com, a leading on-line technical dictionary:

Link: Using hypertext, a link is a selectable connection from one word, picture, or information object to another. In a multimedia environment such as the World Wide Web, such objects can include sound and motion video sequences. The most common form of link is the highlighted word or picture that can be selected by the user (with a mouse or in some other fashion), resulting in the immediate delivery and view of another file. The highlighted object is referred to as an anchor. The anchor reference and the object referred to constitute a hypertext link.

Although most links do not offer the user a choice of types of link, it would be possible for the user to be provided a choice of link types, such as: a definition of the object, an example of it, a picture of it, a smaller or larger picture of it, and so forth. Links are what make the World Wide Web a web.¹

Applicants fail to see how the display of corrected text is a link that is a selectable connection. Instead, it is mere text that appears in a query input mechanism. Thus, Applicants respectfully submit that Ortega et al. cannot be said to teach or suggest “near the query input mechanism, third displaying a link which enables the re-performance of the service with the entered query data set,” as recited in claim 35.

Claims 36-39 depend from claim 35 and are believed to be allowable for the same reasons. Additionally, for similar reasons relating to the claimed “link,” Applicants maintain that claims 53-55 are allowable over the art of record. Applicants thus submit that claims 35-39 patentably define over Ortega et al., taken alone or in combination with any other art of record. Withdrawal of the rejections of claims 35-39 is thus earnestly solicited.

¹ http://searchwebservices.techtarget.com/sDefinition/0,,sid26_gci212475,00.html

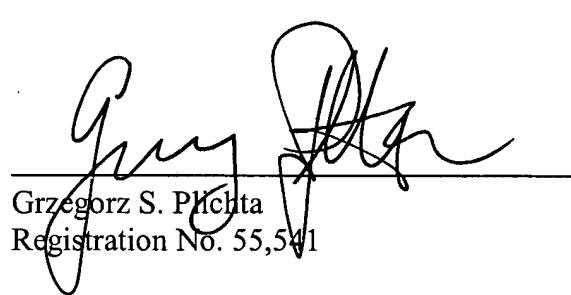
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CONCLUSION

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Office Action, and submit that claims 1-2, 4, 7-21, 23-41 and 44-55 of the application are in condition for allowance. Favorable consideration and passage to issue of the application at the Examiner's earliest convenience is earnestly solicited.

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